

NO. PD-0163-17

STATE OF TEXAS

VS.

COBY RAY HUDGINS

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IN THE COURT OF

CRIMINAL APPEALS

FILED
COURT OF CRIMINAL APPEALS
7/10/2017
DEANA WILLIAMSON, CLERK

**MOTION TO EXTEND TIME TO FILE RESPONSIVE
BRIEF ON THE MERITS**

TO THE HONORABLE JUDGES OF SAID COURT:

Now comes Coby Ray Hudgins, appellant in the above styled and numbered cause, and moves for an extension of time of 30 days to file a responsive brief on the merits, and for good cause shows the following:

1. On the 24th day of May, 2017, this Court granted appellant's Petition for Discretionary Review. The State of Texas by and through her Office of the State Prosecuting attorney filed its brief on the merits on June 9, 2017. Counsel for Appellant also made his appearance as counsel for Appellant before this court on June 9, 2017. The Appellant's responsive brief on the merits is due 30 days thereafter, i.e. on July 10, 2017. See Tex. R. App. Proc. 70.2.

2. Counsel has been unable to complete the brief for the following reasons: Counsel has had personal family medical issues arise in that his wife underwent surgery on June 1, 2017 and has had an unexpected lengthy recovery which has complicated his schedule to allow adequate time to draft a responsive

brief in this matter. Counsel respectfully requests a 30 day extension of time in which to file the appellant's responsive brief on the merits to that he may effectively represent his client in response to this matter before the honorable Court of Criminal Appeals.

This Motion for extension of time is not sought for the purposes of delay, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, appellant respectfully requests an extension of 30 days, i.e. until August 9, 2017, to file a responsive brief on the merits in this matter.

Respectfully submitted,

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By: 

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CERTIFICATE OF SERVICE

This is to certify that on July 10, 2017, a true and correct copy of the above and foregoing document was served on the Office of the State Prosecuting Attorney for the State of Texas and the Office of the Criminal District Attorney, Gregg County, Carl L. Dorrough, by electronic service through the Electronic Filing Manager.

A handwritten signature in black ink, appearing to be 'J. Brandt Thorson', written over a horizontal line.

J. Brandt Thorson